

SENATE BILL 1710
By Miller J

AN ACT to amend Tennessee Code Annotated, Title 11; Title 43
and Title 44, relative to agriculture.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 43-10-107, is amended by deleting
such section in its entirety and substituting instead the following language:

§ 43-10-107

Labels for vegetable seeds in containers of one and one-half pounds (1.5 lbs.) or less,
including vegetable seeds in preplanted containers, mats, tapes, or other planting devices, shall
show the following information:

- (1) Name of kind and variety of seed. Hybrids shall be labeled as hybrids;
- (2) Lot number or other lot identification;
- (3) (A) Percentage germination and calendar month and year the test was completed, or
year for which packed; provided, that the words "Packed for" precede the year. However, no
seed is to be offered or exposed for sale at retail outlets before the year for which packed;
- (B) Any seed offered or exposed for sale after the year for which packed, unless in
hermetically sealed containers, must show a current germination test as required in § 43-10-

109(1)(B). The person in possession of such seed will be responsible for securing a new germination test;

(4) Name and address of the person who labeled the seed or who sells, offers, or exposes the seed for sale within this state;

(5) For seeds which germinate less than the standards last established by the commissioner under this part:

(A) The percentage of germination, exclusive of hard seed;

(B) The percentage of hard seed, if present;

(C) The calendar month and year the test was completed to determine such percentage;

(D) In addition to the individual percentage statement of germination and hard seed, the total percentage of germination and hard seed may be stated, if desired; and

(E) The words "Below Standard" in not less than eight (8) point type; and

(6) For seeds in a germination medium, mat, tape, or other device in such a way as to make it difficult to determine the quantity of seed without removing the seeds from the medium, mat, tape, or device, a statement to indicate the minimum number of seeds in the container.

SECTION 2. Tennessee Code Annotated, Section 43-10-108, is amended by deleting such section in its entirety and substituting instead the following language:

§ 43-10-108.

Vegetable seeds in containers of more than one and one-half pounds (1.5 lbs.) shall be labeled to show the following information:

(1) The name of each kind and variety present in excess of five percent (5%) and the percentage by weight of each in order of its predominance. Hybrids shall be labeled as hybrids;

(2) Lot number or other lot identification:

(A) The percentage of germination, exclusive of hard seed;

(B) The percentage of hard seed, if present;

(C) The calendar month and year the test was completed to determine such percentages;

(D) In addition to the individual percentage statement of germination and hard seed, the total percentage of germination and hard seed may be stated as such, if desired;

(E) Net weight, except when in bulk; and

(F) The name and address of the person who sells, offers, or exposes the seed for sale within this state; and

(3) No tag or label shall be required, unless requested, on seeds sold directly to and in the presence of the purchaser and taken from a bag or container properly labeled.

SECTION 3. The commissioner of agriculture is authorized to promulgate rules and regulations to effectuate the purposes of this act. All such rules and regulations shall be promulgated in accordance with the provisions of the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 4. This act shall take effect July 1, 2003, the public welfare requiring it.